

110TH CONGRESS
1ST SESSION

H. R. 173

To protect innocent elderly and disabled tenants in public housing and housing assisted under the rental assistance program under section 8 of the United States Housing Act of 1937 from eviction by reason of criminal activity.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Ms. LEE introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To protect innocent elderly and disabled tenants in public housing and housing assisted under the rental assistance program under section 8 of the United States Housing Act of 1937 from eviction by reason of criminal activity.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “One Strike and You’re
5 Out! Act of 2007”.

6 **SEC. 2. PUBLIC HOUSING TENANTS.**

7 Paragraph (6) of section 6(l) of the United States
8 Housing Act of 1937 (42 U.S.C. 1437d(l)(6)) is amended

1 by inserting after the first semicolon the following: “except
 2 that such criminal or drug-related criminal activity, en-
 3 gaged in by a member of a tenant’s household or any guest
 4 or other person under the tenant’s control, shall not be
 5 cause for termination of tenancy of the tenant if (A) the
 6 tenant is an elderly person (as such term is defined in
 7 section 202(k) of the Housing Act of 1959 (12 U.S.C.
 8 1701q)) or a person with disabilities (as such term is de-
 9 fined in section 811(k) of the Cranston-Gonzalez National
 10 Affordable Housing Act (42 U.S.C. 8013(k)), and (B) the
 11 tenant did not know and should not have known of the
 12 activity or the tenant or member of household was the vic-
 13 tim of the criminal activity; and”.

14 **SEC. 3. TENANTS OF HOUSING ASSISTED UNDER SECTION 8**
 15 **PROGRAM.**

16 Clause (iii) of section 8(d)(1)(B) of the United States
 17 Housing Act of 1937 (42 U.S.C. 1437f(d)(1)(B)(iii)) is
 18 amended by striking the comma before “except that: (I)”
 19 and inserting the following: “; except that such criminal
 20 or drug-related criminal activity, engaged in by a member
 21 of a tenant’s household or any guest or other person under
 22 the tenant’s control, shall not be cause for termination of
 23 tenancy of the tenant if (I) the tenant is an elderly person
 24 (as such term is defined in section 202(k) of the Housing
 25 Act of 1959 (12 U.S.C. 1701q)) or a person with disabil-

ities (as such term is defined in section 811(k) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(k)), and (II) the tenant did not know and should not have known of the activity or the tenant or member of household was the victim of the criminal activity; and”.

SEC. 4. REPORTING BY PHAS ON ONE-STRIKE EVICTIONS.

Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended by inserting after subsection (o) the following new subsection:

“(p) **REPORTS ON ONE-STRIKE EVICTIONS.**—Each public housing agency shall submit a report annually to the Secretary on the number of persons whose tenancy in public housing of the agency was terminated, and the number whose tenancy in housing assisted by the agency with amounts made available under section 8 was terminated, because of criminal activity.”.

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